

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

ORDER

These consolidated cases are before the court on a Recommendation (Doc. # 21) filed by the magistrate judge, which recommends that the motion to dismiss filed by the United States be granted. The plaintiffs have filed an objection (Doc. # 24). The court finds that the plaintiffs' objections go to the merits of their claims and do not address the basis of the recommendation, *i.e.*, their claims are due to be dismissed for their failure to file an administrative claim under the Federal Tort Claims Act.

Accordingly, it is ORDERED that:

1. Plaintiffs' objection (Doc. # 24), is OVERRULED;
2. The Recommendation (Doc. # 22) of the Magistrate Judge is ADOPTED;
3. The government's Motions to Dismiss (Doc. # 4 in both cases) are GRANTED;
4. Plaintiffs' claims are DISMISSED with prejudice pursuant to Fed. R. Civ. P.12(b)(1) for lack of jurisdiction.

An appropriate judgment will be entered.

DONE this 13th day of March, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE